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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/573,978

11/17/2006

Eral Foxenland

PS02 0303US2

4161

58561 7590 07/03/2008

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EXAMINER

TREAT, WILLIAM M

ART UNIT

PAPER NUMBER

2181

MAIL DATE

DELIVERY MODE

07/03/2008

PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

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APPLICATION NO./ CONTROL NO.	FILING DATE	FIRST NAMED INVENTOR / PATENT IN REEXAMINATION	ATTORNEY DOCKET NO.
10573978	11/17/06	FOXENLAND, ERAL	PS02 0303US2

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**EXAMINER**

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ART UNIT	PAPER
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2181	20080701
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DATE MAILED:

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**Commissioner for Patents**

1. The timely submission under 37 CFR 1.129(a) filed on 3/18/2008 is not fully responsive to the prior Office action because the examiner objected to applicant's Fig. 1 because it lacked meaningful labels, but he also noted that applicant's description of Fig. 1 seemed to merely be a list of conventional features found in mobile phones. The examiner asked applicant to explain why he thought Fig. 1 should not be labeled Prior Art. Even were applicant's software novel, a figure merely depicting the prior art device on which the software runs would still be labeled prior art. Since the submission appears to be a *bona fide* attempt to provide a complete reply to the prior Office action, applicant is given a shortened statutory period of ONE MONTH or THIRTY DAYS from the mailing date of this letter, whichever is longer, to submit a complete reply. This shortened statutory period supersedes the time period set in the prior Office action. This time period may be extended pursuant to 37 CFR 1.136(a). If a notice of appeal and the fee set forth in 37 CFR 1.17(e) were filed prior to or with the payment of the fee set forth in 37 CFR 1.17(r), the payment of the fee set forth in 37 CFR 1.17(r) by applicant is construed as a request to dismiss the appeal and to continue prosecution under 37 CFR 1.129(a). The appeal stands dismissed.

/William M. Treat/  
Primary Examiner, Art Unit 2181